

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

In re:  
GT ADVANCED TECHNOLOGIES INC., *et al.*,  
Reorganized Debtors<sup>1</sup>

Bk. No. 14-11916-CJP

Chapter 11

GT ADVANCED TECHNOLOGIES INC., *et al.*

Adv. No.: 16-01047-CJP

## Counterclaim Plaintiffs

V.

## DOW CORNING CORPORATION

#### **Counterclaim Defendant.**

**STIPULATION OF DISMISSAL**

Pursuant to Rule 7041(a) of the Federal Rules of Bankruptcy Procedure, GT Advanced Technologies Inc. and its affiliated reorganized debtors (collectively, “GTAT” or the “Reorganized Debtors”) and Dow Corning Corporation hereby submit this stipulation of dismissal, dismissing this case with prejudice, without any rights of appeal and with each party bearing its own costs and expenses of this litigation, thereby lifting the injunction against GTAT established by the Court’s Order Confirming Debtors’ Amended Joint Plan Of Reorganization Under Chapter 11 Of The Bankruptcy Code, Dated March 7, 2016 (Bankruptcy Case Dkt. No. 3310).

<sup>1</sup> The Reorganized Debtors, along with the last four digits of each debtor's tax identification number, as applicable, are: GT Advanced Technologies Inc. (6749), GTAT Corporation (1760), GT Advanced Equipment Holding LLC (8329), GT Equipment Holdings, Inc. (0040), Lindbergh Acquisition Corp. (5073), GT Sapphire Systems Holding LLC (4417), GT Advanced Cz LLC (9815), GT Sapphire Systems Group LLC (5126), and GT Advanced Technologies Limited (1721). The Reorganized Debtors' corporate headquarters are located at 243 Daniel Webster Highway, Merrimack, NH 03054.

Specifically, the parties respectfully request entry of an order dismissing with prejudice Reorganized Debtors' Counterclaim for Declaratory Judgment (Dkt. No. 1), and Dow Corning Corporation's Counterclaim to Reorganized Debtors' Counterclaim for Declaratory Judgment (Dkt. No. 26), both filed in Adversary Proceeding No. 16-01047; and Application of Dow Corning Corporation for Allowance and Payment of Administrative Expense Claims Pursuant to 11. U.S.C. § 503(b)(1) (Dkt. No. 2896), and Second Application of Dow Corning Corporation for Allowance and Payment of Administrative Expense Claims Pursuant to 11 U.S. § 503(b)(1) (Dkt. No. 3490), both filed in Bankruptcy Case No. 14-11916.

In light of the parties' stipulation, the parties further request entry of an order lifting the above-referenced injunction against GTAT. A proposed form of Order is attached.

Dated: Feb. 6, 2017

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

In re:	Chapter 11
GT ADVANCED TECHNOLOGIES INC., <i>et al.</i> ,  Reorganized Debtors	Case No. 14-11916-CJP
GT ADVANCED TECHNOLOGIES INC., <i>et al.</i>  Counterclaim Plaintiffs	Adv. No.: 16-01047-CJP
v.  DOW CORNING CORPORATION  Counterclaim Defendant.	

**ORDER OF DISMISSAL WITH PREJUDICE**

A Stipulation of Dismissal having been filed in the above-captioned Adversary Proceeding and Bankruptcy Case, it is hereby ORDERED:

1. The Stipulation of Dismissal filed on February 6, 2017 is incorporated by reference. In accordance therewith, this Adversary Proceeding is dismissed with prejudice, as is the Application of Dow Corning Corporation for Allowance and Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(1) (Dkt. No. 2896), and Second Application of Dow Corning Corporation for Allowance and Payment of Administrative Expense Claims Pursuant to 11 U.S. § 503(b)(1) (Dkt. No. 3490), both filed in this Bankruptcy Case.

2. The injunction as set forth in Paragraph 73 of the Court's Order Confirming Debtors' Amended Joint Plan Of Reorganization Under Chapter 11 Of The Bankruptcy Code, Dated March 7, 2016, entered in this Bankruptcy Case (Dkt. No. 3310) is hereby lifted, effective immediately. That injunction shall be of no further force and effect.

3. Each party shall bear its own fees and costs.

This is a core proceeding in accordance with 28 U.S.C. § 157(b) as to which this Court has jurisdiction of the subject matter and the parties.

ENTERED at Manchester, New Hampshire.

Date: \_\_\_\_\_

The Honorable Christopher J. Panos  
Bankruptcy Judge

## CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of February 2017, a true and correct copy of the foregoing Joint Status Report was hereby served on all parties who receive service electronically through the Court's CM/ECF System, including the Office of the United States Trustee.

/s/ Andrea Weiss Jeffries

Andrea Weiss Jeffries